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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,879	04/27/2001	Mika Forscell	975.336USWI	1754
32294	7590	04/06/2004	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			IQBAL, KHAWAR	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2686	

DATE MAILED: 04/06/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,879

Applicant(s)

FORSELL, MIKA

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2-24-04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 17-21,24-29,31-35 are rejected under 35 U.S.C. 102(b) as being unpatentable by Koivunen (5479481).

3. Regarding claim 17 Koivunen teaches a method for restoring a subscriber context in a network element of a mobile communication network, comprising the steps of (figs. 2-3):

transmitting a restart information indicating whether a subscriber context has been updated after the latest restart (col.2, lines 52-67);

continuing the use of a subscriber context updated after said latest restart (col.2, lines 52-67); and

inactivating a subscriber context updated before the latest restart (col.2, line 52- col. 3, line 15).

Regarding claim 26 Koivunen teaches a system for restoring a subscriber context in a network element of a mobile communication network, comprising (figs. 2-3):

transmitting means for transmitting to said network element a restart information indicating whether a subscriber context has been updated after the latest restart (col.2, lines 52-67);

wherein said network element comprises receiving means for receiving said restart information, and control means for continuing the use of a subscriber context updated after said latest restart (col.2, lines 52-67) and for inactivation a subscriber context updated before said latest restart, in response to said restart information (col.2, line 52-col. 3, line 15).

Regarding claim 31 Koivunen teaches a network element for a mobile communication network, comprising transmitting means for transmitting a restart information indicating whether a subscriber context has been updated after the latest restart (col.2, line 52-col. 3, line 15).

Regarding claim 34 Koivunen teaches a network element for a mobile communication network, comprising (abstract, figs. 2-3):

receiving means for receiving a restart information indicating whether a subscriber context has been updated after the latest restart (col.2, line 52-col. 3, line 15), and

control means for continuing the use of a subscriber context updated after said latest restart and for inactivating a subscriber context updated before said latest restart in response to said restart information (col.2, line 52-col. 3, line 15).

Regarding claims 18,21,28,29,32 Koivunen teaches wherein said restart information is a restart counter value and is transmitted together with a context signaling message (col.2, line 52-col. 3, line 15).

Regarding claims 19,20,27,35 Koivunen teaches wherein said restart counter value is compared with a stored restored counter value (number) so as to determine said subscriber context updated before the latest restart (col.2, line 52-col. 3, line 15).

Regarding claim 21 Koivunen teaches wherein said restart information transmitted only one time after said latest restart (col.2, line 52-col. 3, line 15).

Regarding claims 24,33 Koivunen teaches wherein said restart information is transmitted separately or in a separate message (col.2, line 52-col. 3, line 15).

Regarding claims 25 Koivunen teaches wherein said restart information is a restart counter value (col.2, line 52-col. 3, line 15).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22,23,30,36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koivunen (5479481) and further in view of Josse et al (6104929).

Regarding claims 22, 23,30,36 Koivunen does not specifically teach wherein said network element is GPRS support node, and wherein said restart information is

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transmitted together with a tunnel management signaling message and subscriber context is a PDP context.

Koivunen teaches the method uses a visitor location register (VLR), which receives from the home location register (HLR) of the cellular radio system a restart indication. It changes the restart number of the HLR, which sent the restart indication in the HLR list of the VLR. When the VLR receives from a mobile exchange an indication of the establishment of a radio connection with a subscriber, the VLR compares the subscriber-specific restart number of the subscriber with the HLR restart number of the subscriber (col.2, line 52-col. 3, line 15).

Koivunen also teaches the method according to the invention may also be applied in other similar radio systems or in the modifications of the GSM system (col. 3, lines 38-40).

In an analogous art, Josse et al teaches wherein said network element is GPRS support node, and wherein said restart information is transmitted together with a tunnel management signaling message (col. 21, lines 33-53) and subscriber context is a PDP context (col. 21, lines 33-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Koivunen et al by specifically modifications of the GSM system to GPRS system in order to enhance system performance and increasing the efficiency of system as taught by Josse et al.

Response to Arguments

6. Applicant's arguments with respect to claims 17-36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Foti (6067454) teaches subscriber profiles in home location register that failed attempts to update associated temporary subscriber records in mobile switching center, during restart procedure, are identified after the completion of the restart procedure. Only those temporary subscriber records, which are identified from the identified subscriber profiles, are updated.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600

Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal



Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600